

SUBCHAPTER N—OUTER CONTINENTAL SHELF ACTIVITIES

PART 140—GENERAL

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AUTHORITY: 43 U.S.C. 1333, 1348, 1350, 1356; Department of Homeland Security Delegation No. 0170.1.

SOURCE: CGD 78-160, 47 FR 9376, Mar. 4, 1982, unless otherwise noted.

Subpart A—General

§ 140.1 Purpose.

This subchapter is intended to promote safety of life and property on Outer Continental Shelf (OCS) facilities, vessels, and other units engaged in OCS activities, protect the marine environment, and implement the Outer Continental Shelf Lands Act (43 U.S.C. 1331 *et seq.*), as amended by the Outer Continental Shelf Lands Act Amendments of 1978 (Pub. L. 95-372, 92 Stat. 629).

§ 140.3 Applicability.

Unless otherwise stated, this subchapter applies to OCS facilities, vessels, and other units engaged in OCS activities as the term “OCS activities”

is defined in §140.10. This subchapter does not apply to pipelines and deepwater ports (as the term “deepwater port” is defined in section 3(10) of the Deepwater Port Act of 1974 (33 U.S.C. 1502)).

§ 140.4 Relationship to other law.

(a) Design and equipment requirements of this subchapter for OCS facilities, including mobile offshore drilling units in contact with the seabed of the OCS for exploration or exploitation of subsea resources, are in addition to the regulations and orders of the U.S. Geological Survey applicable to those facilities.

(b) Any apparent conflict between the application of any requirement of this subchapter and any regulation or order of the U.S. Geological Survey should immediately be brought to the attention of the Officer in Charge, Marine Inspection.

(c) This subchapter does not establish design requirements for fixed OCS facilities or regulate drilling or production equipment on any OCS facility or attending vessel, except for matters affecting navigation or workplace safety or health.

§ 140.5 Exemptions during construction.

The Officer in Charge, Marine Inspection, may exempt any unit under construction from any requirements of this subchapter that would be impracticable or unreasonable to apply during construction or erection of the unit.

§ 140.7 Incorporation by reference.

(a) Certain materials are incorporated by reference into this subchapter with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a). To enforce any edition other than the one listed in paragraph (b) of this section, notice of the change must be published in the FEDERAL REGISTER and the material made available to the public. All approved material is available for inspection at U.S. Coast Guard, Office of Compliance (CG-543), 2100 2nd St. SW., Stop 7581, Washington, DC 20593-7581

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and at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. All approved material is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this subchapter and the sections affected are as follows:

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| <i>American National Standards Institute (ANSI)</i> 11 West 42nd Street, New York, NY 10036. | |
| ANSI A10.14-1975—Requirements for Safety Belts, Harnesses, Lanyards, Lifelines, and Drop Lines for Construction and Industrial Use. | 142.42 |
| ANSI/UL1123-1987—Standard for Marine Buoyant Devices. | 143.405 |
| ANSI Z41-1983—American National Standard for Personal Protection-Protective Footwear. | 142.33 |
| ANSI Z87.1-1979—Practice for Occupational and Educational Eye and Face Protection. | 142.27 |
| ANSI Z88.2-1980—Practices for Respiratory Protection. | 142.39 |
| ANSI Z89.1-1981—Safety Requirements for Industrial Head Protection. | 142.30 |
| <i>International Maritime Organization (IMO)</i> IMO Sales, New York Nautical Instrument and Service Corp., 140 W. Broadway, New York, NY 10013 | |
| IMO Assembly Resolution A.414 (XI) Code for Construction and Equipment of Mobile Offshore Drilling Units. | 143.207; 146.205 |

[CGD 84-098b, 54 FR 21571, May 18, 1989, as amended by CGD 96-026, 61 FR 33665, June 28, 1996; 69 FR 18803, Apr. 9, 2004; USCG-2004-18057, 69 FR 34926, June 23, 2004; USCG-2010-0351, 75 FR 36283, June 25, 2010]

§ 140.10 Definitions.

As used in this subchapter:

Act means the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331 *et seq.*), as amended by the Outer Conti-

mental Shelf Lands Act Amendments of 1978 (Pub. L. 95-372).

Approved means approved by the Commandant, unless otherwise indicated.

Attending vessel means a vessel which is moored close to and readily accessible from an OCS facility for the purpose of providing power, fuel, or other services to the operation being conducted on the facility.

Commandant means Commandant of the Coast Guard or that person's authorized representative.

Development means those activities which take place following discovery of minerals in paying quantities, including, but not limited to, geophysical activity, drilling, and platform construction, and which are for the purpose of ultimately producing the minerals discovered.

District Commander means an officer who commands a Coast Guard District described in part 3 of this chapter or that person's authorized representative.

Exploration means the process of searching for minerals, including, but not limited to, (1) geophysical surveys where magnetic, gravity, seismic, or other systems are used to detect or imply the presence of such minerals, and (2) any drilling, whether on or off known geological structures, including the drilling of a well in which a discovery of oil or natural gas in paying quantities is made and the drilling of any additional delineation well after the discovery which is needed to delineate any reservoir and to enable the lessee to determine whether to proceed with development and production.

Fixed OCS facility means a bottom founded OCS facility permanently attached to the seabed or subsoil of the OCS, including platforms, guyed towers, articulated gravity platforms, and other structures.

Floating OCS facility means a buoyant OCS facility securely and substantially moored so that it cannot be moved without a special effort. This term includes tension leg platforms and permanently moored semisubmersibles or shipshape hulls but does not include mobile offshore drilling units and other vessels.